

BARBARA EVERLY

USA/7mHA vs *Thayer* x89.0099.m

Kris Davis, on behalf  
of U.S. Atty, has waived  
costs

L 1/31/91

JAN 10 1991

BARBARA A. EVERLY, CLERK

# United States Bankruptcy Court

For the NORTHERN District of IOWA

Chapter 7

IN RE: GERALD T. MEYER and  
JANICE T. MEYER,

Case No. X89-00242M

Debtors.  
UNITED STATES OF AMERICA, Plaintiff  
v.

GERALD T. MEYER and Defendants  
JANICE T. MEYER,

Adversary Proceeding No. X89-0099M

## AMENDED JUDGMENT

☐ This proceeding having come on for trial or hearing before the court, the Honorable William L. Edmonds, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

☒ The issues of this proceeding having been duly considered by the Honorable William L. Edmonds, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

### IT IS ORDERED AND ADJUDGED:

that plaintiff United States of America shall recover from defendants Gerald T. Meyer and Janice T. Meyer, jointly and severally, the sum of \$35,000.00. The judgment shall be payable in accordance with the terms of a "Consent Judgment" filed with the court on January 7, 1991. A true copy of the Consent Judgment is attached hereto. Court costs are taxed against defendants.



copies mailed with order

1-10-91, *Jm*

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BARBARA A. EVERLY

Clerk of Bankruptcy Court

X [Seal of the U.S. Bankruptcy Court]

1-10-91

- *Lana McElhany*

FILED  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

JAN 7 1991

IN RE:	)	CHAPTER 7	BARBARA A. EVERLY, CLERK
	)		
GERALD T. MEYER and	)	BANKRUPTCY NO.	X-89-00242M
JANICE T. MEYER,	)		
	)		
Debtors.	)		
	)		
UNITED STATES OF AMERICA,	)	ADVERSARY NO.	X-89-0099M
	)		
Plaintiff,	)		
	)		
vs.	)		
	)		
GERALD T. MEYER and	)	CONSENT JUDGMENT	
JANICE T. MEYER	)		
	)		
Defendants.	)		

Plaintiff, the United States of America, having filed its Complaint herein, and the Defendants, having consented to the making and entry of this Judgment without trial, hereby agree as follows:

1. This Court has jurisdiction over the subject matter of this litigation and over all parties thereto. The Complaint filed herein states a claim upon which relief can be granted.
2. The Defendants hereby acknowledge and accept service of the Complaint filed herein.
3. The Defendants agree to entry of Judgment against them in the sum of \$35,000, plus interest and costs as allowed by law.
4. The United States of America agrees to accept payments totalling \$10,000 in full satisfaction of this judgment as follows: The Defendants shall pay the total sum of \$10,000 in monthly installments of \$100.00 beginning March 1, 1991, for 100

months. Payments shall be sent by the Defendants to the United States Attorney, Financial Litigation Unit, The Center, Suite 950, 425 Second Street S.E., Cedar Rapids, Iowa, 52401.

5. The parties agree that in the event of a default in excess of 30 days and the failure of the Defendants to notify the United States of America as to the reason for the default the United States of America shall be entitled to collect from the Defendants the full amount of the judgment as entered by this Court, but if the Defendants notify the United States of America within 30 days that they cannot make the payment then prior to a full judgment being entered the parties will make a good faith effort to reschedule the payments, but if agreement is not reached within an additional 60 days the United States of America shall be entitled to collect from the Defendants the full amount of the judgment as entered by this Court.

6. The parties further agree that upon completion by the Defendants of the payments as set forth herein or upon payment in full of \$10,000.00 the United States of America shall release the judgment entered by this Court and shall consider the entire debt paid in full.

7. This consent Judgment shall be recorded among the records of the District Court in the county of residence of the Defendants, and all other jurisdictions where it is determined by the United States that the Defendants own real or personal property.

8. In the event of default, the Defendants shall provide the United States, in writing, of any material change in their financial situation or ability to pay, and of any change in

employment, place of residence or telephone number. Defendants shall provide such information to the United States Attorney, Financial Litigation Unit, The Center, Suite 950. 425 2nd St., S.E., Cedar Rapids, Iowa, 52401.

9. In the event of default the Defendants shall provide the United States Attorney with current, accurate evidence of their assets, income and expenditures (including, but not limited to, their Federal income tax returns) within (15) days of the date of a request for such information by the United States Attorney.

Respectfully submitted,

CHARLES W. LARSON  
United States Attorney

By: Martin J. McLaughlin

Martin J. McLaughlin  
Assistant United States Attorney  
425 2nd St. S.E.  
Suite 950, The Center  
Cedar Rapids, IA 52401  
319-363-6333

**CERTIFICATE OF SERVICE**

I certify that I have caused to be delivered a copy of this document to each of the parties or their attorneys, at the address shown below, on the

7<sup>th</sup> day of January, 1991  
UNITED STATES ATTORNEY

By: Brenda Sleep  
copies to:

AND

Roger L. Sutton  
Roger L. Sutton  
Attorney for Debtors  
119 N. Jackson  
Charles City, IA 50616

The Defendants hereby consent to the entry of Judgment as set forth herein.

Dated this 4<sup>th</sup> day of JANUARY, 1991.

Gerald T. Meyer  
GERALD T. MEYER

Janice T. Meyer  
JANICE T. MEYER

UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF IOWA

FILED  
U.S. BANKRUPTCY COURT S.C.  
NORTHERN DISTRICT OF IOWA

JAN 10 1991

BARBARA A. EVERLY, CLERK

IN RE:

GERALD T. MEYER and  
JANICE T. MEYER,

Debtors.

Chapter 7

Bankruptcy No. X89-00242M

-----  
UNITED STATES OF AMERICA,

Plaintiff,

vs.

GERALD T. MEYER and  
JANICE T. MEYER,

Defendants.

Adversary No. X89-0099M

ORDER AMENDING JUDGMENT

On January 10, 1991, the court entered an order that judgment would enter in favor of the plaintiff and against the defendants in accordance with the "Consent Judgment" filed with the court. The court has discovered that its order was in error. The agreed judgment amount was \$35,000.00, not \$10,000.00. Further, court costs were to be taxed to the defendants. Accordingly,

IT IS ORDERED that the court's judgment entered January 10, 1991 is amended to state:

that plaintiff United States of America shall recover from defendants Gerald T. Meyer and Janice T. Meyer, jointly and severally, the sum of \$35,000.00. The judgment shall be payable in accordance with the terms of a "Consent Judgment" filed with the court on January 7, 1991, a true copy of which shall be

attached to the court's judgment. Court costs are taxed against the defendants.

SO ORDERED ON THIS 10<sup>th</sup> DAY OF JANUARY, 1991.



William L. Edmonds, Bankruptcy Judge

cc: Roger Sutton  
U. S. Attorney  
U. S. Trustee  
on 1/10/91, *Jm*